

MINUTES of the Regular Meeting of
the City Council of the City of Rye held in
City Hall on December 20, 2000 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
CAROLYN CUNNINGHAM
ROBERT H. HUTCHINGS
ROSAMOND LARR
DOUGLAS MCKEAN
ARTHUR STAMPLEMAN
Councilmen

ABSENT:

ROBERTA DOWNING

1. Pledge of Allegiance

Mayor Otis called the meeting to order and invited the council to join in the Pledge of Allegiance.

2. Roll Call

Mayor Otis asked the City Clerk to call the roll; a quorum was present to conduct official city business.

The Mayor opened the meeting by reading a poem written for the Council by Alex Barnes, reporter for the Sound Shore Review:

A Christmas Story, 2000

'Twas five days before Christmas in the City of Rye,
And the Sound Shore reporter, she started to cry.
A meeting was scheduled, but she felt half-dead.
She had a nasty cold running around in her head.
So she went to the meeting without any glee,
To get a story on the 2001 budget you see.
Upon her arrival, to the City Council she spoke
In a reasonable voice, but without any hope.
Come Cunningham, Come Downing, Come Hutchings, she said.
I feel quite unwell and I should be in bed!

Come McKean, Come Stampleman, Come Larr,
This must be your quickest meeting, by far!
She glanced at the City Manager, Corporation Counsel,
City Clerk and the Mayor,
and closing her eyes, said a brief silent prayer.
She prayed with all her might that her words would be heeded,
And red with embarrassment, left the mike to be seated.

The Mayor thanked Ms. Barnes for her poem and said the Council would welcome other appropriate poems in the future.

3. Residents may be heard who have matters to discuss that do not appear on the agenda

Mayor Otis recognized Craig Romanek, 15 Beachwood Lane, who asked the Council to request a restoration of the Playland fireworks noise level. He said he felt that they had been reduced to a mere light show and that he, and others, would like to see them restored to their former grandure. The Mayor responded that complaints about the fireworks were usually the opposite side and that Playland was trying to find the best middle ground.

The Mayor offered condolences to Councilwoman Larr on the recent loss of her mother, Marge Herman, a wonderful woman who will be greatly missed by the whole community.

Prior to opening the public hearing on proposed local laws, the Mayor reported that the majority of the agenda items for the meeting related to the 2001 budget. He reviewed the budget process beginning with the presentation of the proposed budget to the Council from the City Manager followed by three workshops and the public hearing held at the November 29, 2000 Council Meeting. He said he felt that everyone was happy with the final outcome which has resulted in a tax increase of only 21% (down from 3.08%) meeting the goal of increasing taxes only for the costs incurred by the firehouse renovation bond. He mentioned some of the highlights in the 2001 budget: additional resources for the Central Business District (more litter removal, additional police presence); additional police officers; additional Recreation Department and Fire Department staff; a new speed trailer; and increased support of the Rye Free Reading Room and the Rye Youth Council. He said that the Council and Staff have worked hard to find more efficient ways to provide what the citizens want.

4. Public hearing on a proposed local law amending Chapter 46, Alarm Systems, with respect to fee increases

Mayor Otis opened the first public hearing by explaining that the Council was proposing that sections of the City Code which mention actual dollar amounts for various licenses be amended to allow changes to those fees to be made by Council resolution. Sections of the Code which set a penalty rather than a fee will continue to stipulate a dollar amount as set by the City Council. Because of the

number of local laws proposed for change the Mayor recommended that a simultaneous public hearing be held for all items in agenda numbers 4-17. Councilman McKean said that adopting the proposed changes to the local laws would make the amendment of various fees and licenses more efficient in the future.

There being no further comments, the mayor closed the public hearing

Councilman McKean made a motion, seconded by Councilman Stampleman, to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 7-2000**

**A local law amending Chapter 46, Alarm Systems,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Subsection E of Section 46-5, License fees and use charges, is hereby amended to read as follows:

- E. Any owner or lessee who maintains a burglar or fire alarm shall pay a fee of thirty dollars (\$30) per calendar year or part thereof to the City Comptroller during January of each year or during the first month of operation on new installations.

Section 2. Subsection C(1) of Section 46-8, License fees and use charges, is hereby amended to read as follows:

- C. Emergency alarms and charges.
 - (1) any owner or lessee of property having a fire or police alarm device or system of fire or police alarm devices on his premises on the effective date of this chapter, and any user of services or equipment furnished by a licensee under this chapter, shall pay to the City Comptroller a charge for each and every emergency alarm to which the Police or Fire Department responds, in each calendar year, as follows:

Number of Emergency
Alarms Each Year

Charge

First	No charge
Second	\$25.00
Third and fourth (each)	\$60.00
Over 4 (each)	\$120.00

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The local law was adopted.

5. Public hearing on a proposed local law amending Chapter 50, Amusements and Exhibitions, with respect to fee increases

As no changes were recommended during the public hearing (see Agenda Item #4) Councilwoman Cunningham made a motion, seconded by Councilman McKean, to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 8-2000**

**A local law amending Chapter 50,
Amusements and Exhibitions,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Section 50-5, License fees, of Chapter 50 of the Rye City Code is hereby amended to read as follows:

§ 50-5. License fees.

The following annual fees shall be paid for each license, including a license for a portion of a year, issued pursuant to this chapter:

A. Bowling alley, miniature golf course, golf driving range, moving-picture house, skating rink, theater, circus, public hall, shooting gallery, public dance hall or cabaret: to be set annually by resolution of the City Council before adoption of the budget for the following year.

B. Public exhibition, performance, entertainment or amusement not otherwise provided for: to be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 2. This local law shall take effect immediately on filing in the office of the Secretary of State

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS: None

ABSENT: Councilwoman Downing

The local law was adopted.

6. Public hearing on a proposed local law amending Chapter 56, Auctioneers; with respect to fee increases

As no changes were recommended during the public hearing (see Agenda Item #4) Councilwoman Larr made a motion, seconded by Councilman Hutchings, to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 9-2000**

**A local law amending Chapter 56, Auctioneers,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Section 56-3, License fee, of Chapter 56 of the Rye City Code is hereby amended to read as follows:

§ 56-3. License fee.

The annual license fee for each license issued pursuant to this chapter shall be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 2. This local law shall take effect immediately on filing in the office of the Secretary of State

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The local law was adopted.

7. Public hearing on a proposed local law amending Chapter 76, Dogs with respect to fee increases

There were no comments at the public hearing concerning the proposed local law amending Chapter 76, Dogs with respect to fee increases but Mayor Otis recommended that the council members defer voting on this law until a more extensive law concerning dogs can be discussed and agreed upon.

8. Public hearing on a proposed local law amending Chapter 93, Filming, with respect to fee increases

As no changes were recommended during the public hearing (see Agenda Item #4) Councilman Stampleman made a motion, seconded by Councilman McKean to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 10-2000**

**A local law amending Chapter 93, Filming,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Subsection A of Section 93-6, License fee, is hereby amended to read as follows:

§ 93-6. License fee.

A. License fee for use of public property. The minimum fee shall be one thousand six hundred (\$1,600.) dollars per day, and the maximum fee shall not exceed sixteen thousand (\$16,000.) dollars per day. The City Clerk, in determining the specific fee to be required, shall take into consideration the following factors which would denote a greater use of public property and therefore require higher fees:

- (1) Use of public parking spaces.
- (2) Use of vehicle travelways requiring the rerouting or directing of traffic.
- (3) Use of pedestrian travelways requiring the rerouting or directing of pedestrian traffic.
- (4) Use of public buildings during normal working hours.
- (5) Use of other public areas during normal operating hours.
- (6) The size of the filming location.
- (7) The number of filming locations.
- (8) The number of hours the filming location or locations will be used.
- (9) Use or involvement of city personnel.
- (10) Use or involvement of city equipment.
- (11) Use of explosives.
- (12) Involve dangerous activities.

Section 2. Subsection B of Section 93-6, is hereby amended to read as follows:

B. License fee for use of private property. The fee for filming on private property shall be three hundred ten (\$310.) dollars per day.

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS: None

ABSENT: Councilwoman Downing

The local law was adopted.

9. Public hearing on a proposed local law amending Chapter 98, Fire Prevention with respect to fee increases

As no changes were recommended during the public hearing (see Agenda Item #4) Councilman Stampleman made a motion, seconded by Councilman McKean, approved to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 11-2000**

**A local law amending Chapter 98, Fire Prevention,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Subsection A of Section 98-22, Permit required, is hereby amended to read as follows:

- A. No person shall engage in the business of dry cleaning without a permit, which shall prescribe the class of system to be used. Application for such permit shall be accompanied by an inspection and permit fee to be set annually by resolution of the City Council before adoption of the budget for the following year. Each such permit or renewal thereof shall expire on December 31 next following its issuance and may be renewed for a period of one year from the date of expiration after application therefor and payment of the permit fee.

Section 2. Section 98-29, Permit required, is hereby amended to read as follows:

§ 98-29. Permit required

It shall be unlawful for any person to establish, maintain or operate a coin-operated dry-cleaning establishment in the City of Rye without a permit therefor. Application for such permit shall be accompanied by an inspection and permit fee to be set annually by resolution of the City Council before adoption of the budget for the following year. Each such permit or renewal thereof shall expire on December 31 next following its issuance and may be renewed for a period of one year from the date of expiration after application therefor and payment of the permit fee.

Section 3. Section 98-36, Permit required, is hereby amended to read as follows:

§ 98-36. Permit required

It shall be unlawful for any person to establish, maintain or operate a coin-operated laundry establishment without a permit therefor. Application for such permit shall be accompanied by an inspection and permit fee to be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 4. Section 98-41, Permit required, is hereby amended to read as follows:

§ 98-41. Permit required

The manufacture of explosives is prohibited within a municipality. A permit shall be obtained to have, keep, use, store or transport any explosives. Application for such permit shall be accompanied by an inspection and permit fee to be set annually by resolution of the City Council before adoption of the budget for the following year. Each such permit or renewal thereof shall expire on December 31 next following its issuance and may be renewed for a period of one (1) year from the date of expiration after application therefor and payment of the permit fee.

Section 5. Section 98-45, Application for permit; fee., is hereby amended to read as follows:

§ 98-45. Application for permit; fee.

All applications for each public display of fireworks made pursuant to the provisions of the Penal Law of the State of New York shall first be referred to the Fire Inspector and to the Police Commissioner of the City of Rye for approval before any permit for the public display of fireworks is issued by the City Clerk pursuant to the provisions of said Penal Law. Application for such

permit shall be accompanied by an inspection and permit fee to be set annually by resolution of the City Council before adoption of the budget for the following year for each display.

Section 6. Subsection F of Section 98-51, Permits required, is hereby amended to read as follows:

- F. Application for such permit shall be accompanied by an inspection and permit fee of to be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 7. Subsection B of Section 98-57, Application and permit for installation, is hereby amended to read as follows:

- B. Application for such permit shall be accompanied by an inspection and permit fee to be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 8. Section 98-82, Permits for installations, is hereby amended to read as follows:

§ 98-82. Permits for installations .

A permit shall be obtained for each installation of liquefied petroleum gas made at buildings in which people congregate for civic, political, educational, religious, social or recreational purposes. Such buildings shall include schools, churches, hospitals, institutions, hotels and restaurants, each having a capacity of 20 or more persons. Prior to making such an installation, an installer shall submit plans to the Fire Inspector, and if compliance with the requirements of this chapter is shown by said plans, a permit shall be issued. Application for such permit shall be accompanied by an inspection and permit fee to be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 9. Section 98-85, Permit required, shall be amended to read as follows:

§ 98-85. Permit required

No person shall store in excess of one hundred thousand (100,000) board feet of lumber without a permit. Application for such permit shall be accompanied by an inspection and permit fee to be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 10. Subsection C of Section 98-101, Permit required, is hereby amended to read as follows:

- C. Application for such permit shall be accompanied by an inspection and permit fee to be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 11. Subsection B of Section 98-124, Christmas tree storage, is hereby amended to read as follows:

- B. Permit required. No Christmas trees shall be stored or displayed for sale without a permit. An inspection and permit fee, to be set annually by resolution of the City Council before adoption of the budget for the following year, shall accompany the application for the permit.

Section 12. Subsection C of Section 98-124, Christmas tree storage, is hereby amended to read as follows:

- C. Bond required. A cash bond of forty-five dollars (\$45.00) shall be posted to ensure removal or disposition of such Christmas trees from the property to the satisfaction of the Fire Inspector by December 30. The cash bond shall be refunded to the applicant when the lot or storage space has been cleaned to the satisfaction of the Fire Inspector. Such cash bond shall be used to clean said area if applicant fails to do so.

Section 13. Section 98-130, Permit required, is hereby amended to read as follows:

§ 98-130. Permit required.

A permit shall be required of each company, corporation, co-partnership or owner-operator performing welding or cutting operations. This permit shall not be required for each welding or cutting job location. The company, corporation, copartnership or owner-operator shall notify the Fire Inspector in advance where such work is taking place, except where such work is done in response to an emergency call that does not allow time for the Fire Inspector to be notified in advance of the work. Application for such permit shall be accompanied by an inspection and permit fee to be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 14. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS: None

ABSENT: Councilwoman Downing

The local law was adopted.

10. Public hearing on a proposed local law amending Chapter 113, Junk Dealers, with respect to fee increases

As no changes were recommended during the public hearing (see Agenda Item #4) Councilman Stampleman made a motion, seconded by Councilwoman Larr, approved to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 12-2000**

**A local law amending Chapter 113, Junk Dealers,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Section 113-4, License fees, of Chapter 113 of the Rye City Code is hereby amended to read as follows:

§ 113-4. License fees.

Every junk merchant shall pay an annual license fee to be set annually by resolution of the City Council before adoption of the budget for the following year for each established place of business. Every junk peddler shall pay an annual license fee to be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 2. This local law shall take effect immediately on filing in the office of the Secretary of State

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS: None

ABSENT: Councilwoman Downing

The local law was adopted.

11. Public hearing on a proposed local law amending Chapter 121, Laundromats with respect to fee increases

As no changes were recommended during the public hearing (see Agenda Item #4) Councilwoman Cunningham made a motion, seconded by Councilwoman Larr, to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 13-2000**

**A local law amending Chapter 121, Laundromats,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Section 121-4, License fee, of Chapter 121 of the Rye City Code is hereby amended to read as follows:

§ 121-4. License fee.

Every person licensed pursuant to this chapter shall pay an annual license fee to be set annually by resolution of the City Council before adoption of the budget for the following year.

Section 2. This local law shall take effect immediately on filing in the office of the Secretary of State

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The local law was adopted.

12. Public hearing on a proposed local amending Chapter 144, Peddling and Soliciting with respect to fee increases

As no changes were recommended during the public hearing (see Agenda Item #4) Councilman Stampleman made a motion, seconded by Councilman McKean, approved to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 14-2000**

**A local law amending Chapter 144,
Peddling and Soliciting,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Section 144-6, License fee, of Chapter 144 of the Rye City Code is hereby amended to read as follows:

§ 144-6. License fee.

The annual license fee shall be set annually by resolution of the City Council before adoption of the budget for the following year for each license issued pursuant to this chapter.

Section 2. This local law shall take effect immediately on filing in the office of the Secretary of State

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS: None

ABSENT: Councilwoman Downing

The local law was adopted.

13. Public hearing on a proposed local law amending Article II, Camps, of Chapter 157, Sanitary Regulations, with respect to fee increases

As no changes were recommended during the public hearing (see Agenda Item #4) Councilman Stampleman made a motion, seconded by Councilman McKean to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 15-2000**

**A local law amending Article II, Camps,
of Chapter 157, Sanitary Regulations,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

**Section 1.
for license.**

Section 157-9. Application

An application for a license provided for under the preceding section shall be made by filing with the Clerk a written application on a blank form prepared and furnished by the city, together with detailed plans and specifications of all buildings, structures, plumbing, sewer and drainage systems and lighting and any other information required by the Building Inspector. Such application shall be accompanied by a fee of fifty dollars (\$50.) for every five (5) units or less, plus ten dollars (\$10.) for each additional five (5) units but if a license is subsequently issued, said fees shall be applied on account of the license fee, and in the event a license is not issued, such investigation fee shall be retained by the city.

Section 2.
issuance; fees, is hereby amended to read as follows:

Section 157-12, License

If such application is acted upon favorably by the Council, it shall direct the Clerk to issue a license to the applicant upon payment of the following fees:

- A. For a tourist park or camp, sixty dollars (\$60.) per unit.
- B. For an automobile tourist park or camp, sixty dollars (\$60.) per unit.

Section 3. **This local law shall take effect immediately on filing in the office of the Secretary of State.**

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS: None

ABSENT: Councilwoman Downing

The local law was adopted.

14. Public hearing on a proposed local law amending Article IV, Tree Preservation, of Chapter 170, Subdivision of Land, with respect to fee increases

As no changes were recommended during the public hearing (see Agenda Item #4) Councilwoman Cunningham made a motion, seconded by Councilman McKean to adopt the following local law:

CITY OF RYE
LOCAL LAW NO. 16-2000

**A local law amending
Article IV of Chapter 170
of the Rye City Code,
Subdivision of Land,
by amending Section 170-15D(9), Tree Preservation.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Section 170-15D, Tree preservation, subdivision (9), is hereby amended to read as follows:

- (9) In cases where the number of trees required to satisfy the penalty can not be accommodated on the site of the violation, the penalty shall include planting of trees on available public spaces and/or payment of one thousand seven hundred dollars (\$1,700) to the City Tree Fund.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The local law was adopted.

15. Public hearing on a proposed local law amending Chapter 180, Taxicabs, with respect to fees

As no changes were recommended during the public hearing (see Agenda Item #4) Councilman Stampleman made a motion, seconded by Councilwoman Larr to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 17-2000**

**A local law amending Chapter 180, Taxicabs,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Section 180-8, Fee for driver's license, is hereby amended to read as follows:

§ 180-8. Fee for driver's license.

An annual fee sixty dollars (\$60.) shall be paid for a driver's license or renewal thereof; no allowance shall be made for any part of a year.

Section 2. Section 180-12, Vehicle license fees, is hereby amended to read as follows :

§ 180-12. Vehicle license fees.

Each taxicab licensed under this chapter shall pay an annual license fee as follows:

- A. Taxicabs seating up to seven (7) passengers: one hundred fifteen dollars (\$115.).
- B. Coach or bus seating over seven (7) passengers: one hundred fifteen dollars (\$115.).

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The local law was adopted.

16. Public hearing on a proposed local law amending Chapter 187, Trees, with respect to fees

As no changes were recommended during the public hearing (see Agenda Item #4) Councilman Stampleman made a motion, seconded by Councilman McKean, to adopt the following local law:

**CITY OF RYE
LOCAL LAW NO. 18-2000**

**A local law amending Chapter 187, Trees,
of the Code of the City of Rye
with respect to fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Subsection A of Section 187-12, Granting of permit, is hereby amended to read as follows:

- A. Application for permits must be made by the owner and other person, firm or corporation, if any, actually performing the work, in writing, to the City Clerk upon forms prescribed by the City Naturalist. The City Naturalist may adopt rules for obtaining and processing of permits subject to approval by the City Council. The fee for each application shall be set annually by resolution of the City Council before adoption of the budget for the following year, payable upon submission of the application. Approval of permits shall be made by the City Naturalist. Denial of permits by the City Naturalist may be appealed to the Board of Architectural Review pursuant to the review procedures under this Code. The Board of Architectural Review is authorized and empowered to obtain the assistance, when necessary, of persons especially qualified by reason of training or experience in tree planting, preservation and landscaping.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS: None

ABSENT: Councilwoman Downing

The local law was adopted.

17. Public hearing on a proposed local law amending Chapter 191, Vehicles and Traffic, with respect to fees

As no changes were recommended during the public hearing (see Agenda Item #4) Councilman Stampleman made a motion, seconded by Councilwoman Larr to adopt the following local law:

**A local law amending Chapter 191,
Vehicles and Traffic,
of the Code of the City of Rye
with respect to fines and fees.**

Be it enacted by the Council of the City of Rye as follows:

Section 1. Subsection G of Section 191-47, Parking fees, is hereby amended to read as follows:

- G. If a license or a tag, or both, is lost or destroyed or if another motor vehicle is substituted for the vehicle for which the license had been issued, a new license will be issued for the remainder of the period upon payment of a fee of \$5; however; if the old sticker is not returned, the fee for such replacement sticker shall be fifty-five dollars (\$55.).

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The local law was adopted.

18. Resolution establishing certain fees, effective January 1, 2001

The mayor requested that the Council pass the resolution adopting the schedule of fees effective January 1, 2001. Councilman Stampleman made a motion, seconded by Councilwoman Larr to adopt the following resolution:

RESOLVED, that the following fees are hereby established, effective January 1, 2001:

ASSESSOR'S OFFICE

General

Standard Photocopy Fee	
Letter/Legal per page	0.25

Maps

City Maps 3'x5"	15.00
Aerial Map	15.00
Drain & Sewer map from blueprints (blue on white)	60.00
Standard Tax Map	15.00
Tax index map (40"x64")	15.00
Topographical maps	60.00
Zoning maps (3'x5')	15.00

BOARD OF APPEALS

General

Multi & Commercial Appeals	200.00
Single Family Appeals	75.00

BUILDING

Electrical

Electrical permits in existing building where a building permit is not required: for multiple residences, commercial or industrial buildings	50.00
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Electrical Permits in existing buildings where a building permit is not required: for one & two family dwellings with contracts valued at \$500 or more	25.00
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General

Building Permits (1) - minimum fee	50.00
Building Permits (2) - add'l charge per \$1,000 est. work	13.00
Building Permit (3) - penalty for work begun without permit	1,000.00
Certificate for Commercial Buildings	150.00
Certificate of Occupancy: to be paid	

with application for building permit	50.00
Changes in Approved Plans	75.00
Demolition Permits	75.00
New Certificate for old buildings	75.00
Search for Municipal Records/	
Pre-date letters	50.00

Plumbing

Oil or gas heating permits in existing buildings w/o building permit required: New heating equipment installation or replacement	50.00
Plumbing - No building permit required (min)	25.00
Plumbing - for each fixture above 5	2.00
Sewer or storm drain connection (per)	25.00

CITY CLERK

Alarms

Alarms permit - Fire/Burglar	30.00
False alarm: 2nd call per annum	25.00
False alarm: 3rd, 4th call each per annum	60.00
False alarm: over 4 per annum	120.00

Fire prevention

Explosive Permit Fee	110.00
Fireworks Display (each)	110.00
Installation of liquefied petroleum gas	55.00
Place of assembly 100 or more people	110.00
Storage of Flammable liquids (permits & insp.)	110.00
Storage of lumbar (in excess of 100,000 bd. ft.)	55.00
Storage of underground tanks (permits & insp.)	55.00
Welding & cutting	55.00

General

Auctioneer	55.00
Birth Certificate	10.00
Blasting Permit	105.00
Cabaret	85.00
Christmas Tree Sale Refundable Bond	45.00
Christmas Tree Sales: Inspection	45.00
Code of the City of Rye	240.00
Codes: Zoning	20.00
Coin operated Dry Cleaning Establishment	85.00

Coin operated Laundry: Establishment	85.00
Death Transcript	15.00
Dog License: add'l City fee	15.00
Dog License: Neutered	2.50
Dog License: Un-neutered	10.50
Dog Redemption: with current license	10.00
Dog Redemption: without current license	25.00
Dry Cleaning Establishment	85.00
Debris Collection Container:	40.00
Filing Fee (claims, liens, against city)	20.00
Filming: Private Property	310.00
Filming: Public Property (Maximum)	16,000.00
Filming: Public Property (Minimum)	1,600.00
Junk Merchant: Establish place of business	265.00
Junk Peddler	55.00
Laundromat	145.00
Marriage License	25.00
Marriage Transcript	10.00
Non-refundable Bid fee (per every \$50 of bid)	15.00-
	100.00
Other Pamphlet Codes	8.00
Peddler, Hawker, Solicitor	265.00
Sign posting @ Boston Post Road & Cross Street	20.00
Tourist Park or Camp App. 5 units or less	50.00
Tourist Park or Camp App. 6 units or less	10.00
Tourist Park or Camp license (per unit)	60.00
Tree Removal Permit	15.00
Hunting/fishing	
Non-Resident: Big game	100.00
Non-resident: Bow Hunting	100.00
Non-resident: Fishing-5day	20.00
Non-resident: Fishing-Season	35.00
Non-resident: Hunting-Season (small game)	50.00
Non-resident: Muzzle loading	75.00
Resident (age70+/disabled veteran): Bow hunting	5.00
Resident (age70+/disabled veteran): Fishing	5.00
Resident (age70+/disabled veteran): Muzzle loading	5.00
Resident (age70+/disabled veteran): Sportsman	5.00
Resident (age70+/disabled veteran): Trapping	5.00
Resident: Big Game	13.00
Resident: Fishing - 3 day	6.00

Resident: Fishing - Season	14.00
Resident: Hunting (small game)	11.00
Resident: Junior Archery	9.00
Resident: Junior Trapping	6.00
Resident: Senior Fishing (65+ years)	5.00
Resident: Sportsman	31.00
Resident: Trapping	13.00

Mechanical installation license

Gas Heat	90.00
Oil Heat	90.00

Miscellaneous licenses

Bowling Alleys	85.00
Circus	85.00
Golf Driving Range	85.00
Miniature Golf Course	85.00
Moving Picture House	85.00
Public Exhibition	45.00
Public Hall	85.00
Shooting Gallery	85.00
Skating Rink	60.00
Taxi Cab License	115.00
Taxi Driver License	60.00
Theater	85.00

Parking

Guest Parking Overnight (per night/max 14 days)	5.00
Merchant (all day)	312.00
Non-Resident Commuter	536.00
Replacement Sticker (without old sticker)	55.00
Replacement Sticker (with old sticker)	5.00
Resident All Day/All Night	492.00
Resident All Night	252.00
Resident Commuter	336.00
Special Permits (Theo. Fremd Lot)	72.00
Taxi Stall Rental	600.00

ENGINEERING

General

Constructed or Replaced Curb	30.00
Constructed or Replaced Depressed Curb (min)	30.00
Constructed or Replaced Driveway (min)	30.00

Constructed or Replaced Sidewalks (min)	30.00
Construction Debris Containers (per day)	50.00
Street Obstructions, Storage of Materials, Operating Machinery, Loading & Unloading, Scaffolding & Bridging	100.00
Street Opening: Curbing- Asphalt/Concrete/Flag	180.00
Street Opening: Sidewalk Area- Asphalt/Concrete/Flag	180.00
Street Opening: Street Area- Asphalt	180.00
Street Opening: Street Area- Concrete	180.00
Street Opening; Test Holes (keyhole method) (each)	60.00
Street Opening: Unpaved Areas	180.00
Street opening: Utility Company (min)	180.00
Surface Water Control Application fee	60.00

Streets/sidewalks

Construction Manhole/Catch Basin (min)	100.00
Driving Pipes (min)	50.00
Install Underground Tank/Valve (min)	30.00
Plumbing Connection to Structures: Manholes/Catch Basin (min)	30.00
Plumbing Connection to Structures: Sewer or Drain Line (min)	25.00

FIRE

General	
Inspection Fee (per inspection)	100.00

PLANNING

Coastal Zone Management	
01: Waterfront Consistency Review Application	350.00

General	
Copies of Subdivision or site plans - complete sets only (per sheet)	25.00

Site Plan Review	
01: Informal review	400.00
02: Preliminary Application	600.00

02a: Preliminary Application - Add'l charge per required parking space	55.00
02b: Modification w/ Public Hearing	600.00
02c: Modification w/ Public Hearing - Add'l charge per required parking space	55.00
02d: Modification without Public Hearing	500.00
02e: Public Hearings (per hearing over 1)	75.00
03a: Final Application	750.00
03b: Final Application - Add'l charge per acre	55.00
03c: Final Application - Add'l charge per required parking space	55.00
03d: Modification with Public Hearing (involving building additions)	550.00
03e: Modification with Public Hearing (involving building additions) - Add'l charge per acre	55.00
03f: Modification with Public Hearing (involving building additions) - Add'l charge per required parking space	55.00
03g: Modification without Public Hearing (involving building additions)	500.00
03h: Modification without Public Hearing (involving building additions)- Add'l charge per acre	55.00
03I: Modification without Public Hearing (involving building additions)- Add'l charge per required parking space	55.00
03j: Modification with Public Hearing (not involving building additions)	550.00
03k: Modification with Public Hearing (not involving building additions)- Add'l charge per acre	55.00
03l: Modification without Public Hearing (not involving building additions)	500.00
03m: Modification without Public Hearing (not involving building additions)- Add'l charge per acre	55.00

03n: Public Hearings (per hearing over 1)	75.00
03o: Inspection Fee (Fee + 7.0% cost of improvement)	500.00
04: Construction and Use without prior approval	2,500.00
05: Modification of Tree Preservation Plan by the City Planner	400.00
06: Tree Replacement, fee in lieu of	1,700.00

Subdivision review

01: Informal Review	400.00
02a: Preliminary Application	600.00
02b: Preliminary Application - Add'l charge per lot	300.00
02c: Modification with Public Hearing	500.00
02d: Modification without Public Hearing	450.00
02e: Waiver of Preliminary Application	450.00
02f: Waiver of Preliminary Application - Add'l charge per lot	300.00
02g: Public Hearings (per hearing over 1)	75.00
03a: Final Application	800.00
03b: Final Application - Add'l charge per lot	300.00
03c: Modification with Public Hearing	550.00
03d: Modification without Public Hearing	500.00
03e: Public Hearings (per notice over 1)	75.00
04: Inspection Fee (fee plus percentage)	500.00
05: Modification of Tree Preservation Plan by City Planner	400.00
06: Tree Replacement, fee in lieu of	1,700.00
07: Fee in lieu of Parkland - In trust-minimum (cents per square foot of lot area)	\$0.11 to 0.50
08: Apportionment Application	350.00
09: Construction and Use without prior approval	2,500.00

Wetlands/Water Courses

01a: Application Fee	600.00
01b: Inspection Fee	500.00
01c: Appeal of Determination	150.00

POLICE

General

Auxiliary Police Services Event Fee	100.00
Defensive Driving Course	45.00
Fingerprinting Fees	10.00
Good Conduct Certificates	30.00
Police report copies (per copy)	0.25
Redemption of Shopping Carts	5.00
Reprints of Photographs	10.00
Subpoena Fees for Records (min)	15.00

PUBLIC WORKS

General

Collection of bulky metals at curbside (minimum)	25.00
Collection of bulky waste in excess of 2 cubic yards (min)	25.00
Penalty for amounts not paid within 60 days	25.00
Penalty for amounts not paid within 90 days	25.00
Add'l penalty for amounts not paid if collection by levy is required	25.00

RECREATION

Building fees

Auditorium (per hour)	85.00
Auditorium: Non-Profit/Co-Sponsor Rate	55.00
Birthday Party: Basic Program (one and one-half hours)	115.00
Maintenance Coverage (per hour) Full-time	30.00
Maintenance Coverage (per hour) Part-time	20.00
Other rooms (per hour)	65.00
Other rooms: Non-Profit/Co-Sponsor Rate	40.00
Private Party: Auditorium	330.00
Private Party: Other rooms (each)	250.00

Day Camp

Day Camp - 1/2 day program (resident)	345.00
Day Camp - 2 week session (non-resident)	460.00
Day Camp - 2 week session (resident)	315.00
Day Camp - 6 week basic (non-resident)	800.00
Day Camp - 6 week basic (resident)	435.00
Day Camp - 6 week extended program (non-resident)	370.00

Day Camp - 6 week extended program (resident)	280.00
Day Camp - Additional child discount	50.00
Day Camp - Swim group	45.00
Day Camp - Swim lessons (with group)	70.00
Kiddy Camp (non-resident)	780.00
Kiddy Camp (resident)	410.00
Kiddy Camp - 2 week session (resident)	285.00
Registration fee after deadline	150.00

Indoor Recreation

Badminton (1 night per week for 8 weeks)	40.00
Basketball	40.00
Volleyball	40.00

Outdoor Recreation

All day field permit (10am-6pm)	450.00
Field permit (2 hrs.)	90.00
Field/Facility Use - Basketball - Outdoor lights (2 hrs.)	100.00
Softball - Early bird (team)	475.00
Softball - Men's Adult (per team)	240.00
Softball - Woman's Adult (per team)	210.00

Picnic

Resident: 0-20 (reservation)	45.00
Resident: 21-40	90.00
Resident: 41-50	160.00
Resident: 51-75	280.00
Resident: 76-100	350.00
Resident: 101-125	475.00
Resident: 126-150	525.00

Tennis

Permit - 3 mo. College (18-25)	55.00
Permit - Adult (weekday)	55.00
Permit - Adult (19 & over)	75.00
Permit - Family (max. 5)	195.00
Permit - Individual (non-resident)	220.00
Permit - Junior (6-18 years)	34.00
Permit - Senior (60+)	50.00
Clinic - Adult Tennis (4 classes)	55.00
Clinic - Youth Tennis (4 classes)	50.00

Daily Fee (resident only)	10.00
Guest of Permit Holder - Ticket book (10 hourly fees)	50.00
Guest of Permit Holder - Hourly fee	8.00
Private lessons: Per half hour	18.00
Private lessons: Per hour	33.00

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

19. Resolution adopting the General Fund Budget as amended and establishing the real estate tax rate for the 2001 fiscal year

Mayor Otis asked that the Council accept the 2001 General Fund Budget of \$29,311,913 as summarized in the Preliminary Budgets listed below.

CITY OF RYE SUMMARY OF PRELIMINARY BUDGETS

<u>Fund/Program</u>	<u>Tentative Budgets</u>
General Fund	
General Government Support	\$2,483,033
Public Safety	7,533,762
Community Environment	5,545,004
Culture and Recreation	2,333,067
Other Financing Uses	<u>1,239,225</u>
Total - General Fund	<u>19,134,091</u>
Rye Cable TV Special Revenue Fund	<u>163,971</u>
Rye Nature Center Special Revenue Fund	<u>361,436</u>
Debt Service Fund	<u>109,109</u>
Capital Projects Fund	<u>1,512,000</u>

Boat Basin Enterprise Fund:	Operating	449,262
	Capital	<u>0</u>
Total - Boat Basin Fund		<u>449,262</u>
Rye Golf Club Enterprise Fund:	Operating	3,645,273
	Capital	<u>399,000</u>
Total - Golf Club Fund		<u>4,044,273</u>
Risk Retention Internal Service Fund		<u>490,000</u>
Building and Vehicle Maintenance Internal Service Fund		
	Operating	2,183,771
	Capital	<u>864,000</u>
Total - Building and Vehicle Maintenance Fund		<u>3,047,771</u>
TOTAL - All Funds		<u>\$29,311,913</u>

Councilman Stampleman made a motion, seconded by Councilman McKean to adopt the following resolution:

RESOLVED, that the proposed General Fund budget, as amended, be and the same is hereby adopted as the Annual Budget for the City of Rye for the fiscal year beginning January 1, 2001, and that the City Council does hereby levy the sum of \$10,323,122 for city taxes and determines the city tax rate to be \$78.05 per \$1,000 assessed valuation, and it is further

RESOLVED, that the City Council does hereby certify to the City Comptroller the above stated levies and tax rates for city taxes, and the City Comptroller is hereby directed to apportion and extend against each taxable property listed upon the assessment roll of the City of Rye for 2001, at the rates specified, the amount of taxes required to produce the total sums certified and to render tax notices for, and receive and collect, the several sums so computed and determined, and it is further

RESOLVED, that the tax warrant of the City of Rye be signed by the Mayor and directed to the City Comptroller to collect the amount of said taxes with interest as provided by law and any special assessment heretofore authorized and approved, and it is further

RESOLVED, that the said assessment roll, together with the aforesaid taxes so levied, together with said warrant, be and the same are hereby fixed and confirmed as the tax roll and warrant of the City of Rye for the fiscal year 2001 and the City Clerk is directed to forthwith deliver the same to the City Comptroller for the collection of taxes for the fiscal year 2001, as hereinbefore provided.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

20. Resolution adopting the Rye Community (RCTV) Television Special Revenue Fund Budget and Fee Schedule for the 2001 fiscal year

Mayor Otis made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

RESOLVED, that the Rye Community (RCTV) Television Special Revenue Fund Budget and Fee Schedule, as proposed, be and the same is hereby adopted as the Rye Community (RCTV) Television Special Revenue Fund Budget of the City of Rye for the fiscal year beginning January 1, 2001.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

21. Resolution adopting the Rye Nature Center Special Revenue Fund Budget and Fee Schedule for the 2001 fiscal year

Councilwoman Cunningham made a motion, seconded by Councilman McKean, to adopt the following resolution:

RESOLVED, that the Rye Nature Center Special Revenue Fund Budget and Fee Schedule, as proposed, be and the same is hereby adopted as the Rye Nature Center Special Revenue Fund Budget of the City of Rye for the fiscal year beginning January 1, 2001.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

22. Resolution adopting the Debt Service Fund for the 2001 fiscal year

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr, to adopt the following resolution:

RESOLVED, that the Debt Service Fund Budget, as proposed, be and the same is hereby adopted as the Debt Service Fund Budget of the City of Rye for the fiscal year beginning January 1, 2001.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

23. Resolution adopting the Capital Projects Fund Budget as amended for the 2001 fiscal year

Councilwoman Larr made a motion, seconded by Councilman McKean, to adopt the following resolution:

RESOLVED, that the Capital Projects Fund Budget, as amended, be and the same is hereby adopted as the Capital Projects Fund Budget of the City of Rye for the fiscal year beginning January 1, 2001.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS: None

ABSENT: Councilwoman Downing

The resolution was adopted.

24. Proposed resolution identifying priority Capital Improvement Projects for possible mid-year appropriation in 2001

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

WHEREAS, the Mayor and City Council have approved the Capital Projects Fund Budget for 2001; and

WHEREAS, there are a number of priority projects for which the details, planning, cost estimates, or timetable are not sufficiently complete at this time to allow for the designation of funds in the 2001 program; and

WHEREAS, for the purposes of capital planning the Council seeks to maintain the ability to include these projects as capital projects in 2001, if and when, specific projects do become feasible during the upcoming year; and

WHEREAS, the establishment of a Capital Projects Contingency List of such priority projects, from which the Council can elevate projects when ready, is a vehicle to accomplish these goals; now, therefore, be it

RESOLVED, that the Council has identified the following projects for the 2001 Capital Projects Contingency List:

Open Space Land Acquisition
Athletic Field Development Costs
Rye Town Park Duck Pond (City of Rye share towards Rye Town Park
Commission part of the project)
Police Station and Courthouse Project
Recreation Master Plan Projects

and be it further

RESOLVED, that the City Council authorizes the City Manager to undertake the steps necessary to monitor these projects and assemble the additional information needed for the City Council to consider elevation of these projects when they become viable.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

25. Resolution adopting the DePauw Municipal Boat Basin Enterprise Fund Budget and Fee Schedule for the 2001 fiscal year

Councilwoman Cunningham made a motion, seconded by Councilman Hutchings, to adopt the following resolution:

RESOLVED, that the DePauw Municipal Boat Basin Enterprise Fund Budget and Fee Schedule, as proposed, be and the same is hereby adopted as the DePauw Municipal Boat Basin Enterprise Fund Budget of the City of Rye for the fiscal year beginning January 1, 2001.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

26. Resolution adopting the Rye Golf Club Enterprise Fund Budget and Fee Schedule for the 2001 fiscal year

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

RESOLVED, that the Rye Golf Club Enterprise Fund Budget and Fee Schedule, as proposed, be and the same is hereby adopted as the Rye Golf Club Enterprise Fund Budget of the City of Rye for the fiscal year beginning January 1, 2001.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

27. Resolution adopting the Risk Retention Internal Service Fund Budget for the 2001 fiscal year

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr, to adopt the following resolution:

RESOLVED, that the Risk Retention Internal Service Fund Budget, as proposed, be and the same is hereby adopted as the Risk Retention Internal Service Fund Budget of the City of Rye for the fiscal year beginning January 1, 2001.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

28. Resolution adopting the Building and Vehicle Maintenance Internal Service Fund Budget for the 2001 fiscal year

Councilwoman Larr made a motion, seconded by Councilman Cunningham, to adopt the following resolution:

RESOLVED, that the Building and Vehicle Internal Service Fund Budget, as amended, be and the same is hereby adopted as the Building and Vehicle Internal Service Fund Budget of the City of Rye for the fiscal year beginning January 1, 2001.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

29. Resolution authorizing the City Comptroller to make the necessary year-end closing transfers

Councilman Stampleman made a motion, seconded by Councilwoman Larr, to adopt the following resolution:

RESOLVED, that the City Comptroller is hereby authorized to make the necessary closing transfers in city accounts, provided a list of such closing transfers is furnished to the City Council at the next meeting after completion of such transfers.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

30. Resolution fixing January 3, 2001 as the first regular meeting and the organizational meeting of the City Council for 2001

The Mayor asked the council to fix the meeting date for the first City Council meeting of 2001. Councilman McKean asked when the full schedule would be available and was informed by the City Manager that the dates would be available at the end of the week.

Councilwoman Cunningham made a motion, seconded by Councilman McKean, and unanimously approved to adopt the following resolution:

RESOLVED, that January 3, 2001 is hereby fixed as the first regular and the organizational meeting of the City Council.

31. Resolution authorizing the Mayor to execute an agreement with the Rye Free Reading Room to furnish library services for 2001

Mayor Otis reported that each year the City of Rye financially supports the operations of the Rye Free Reading Room under an agreement which stipulates the specific rights and obligations of both parties, pursuant to section 256 of the Education law of the State of New York. The agreement provides that the City shall pay the Rye Free Reading Room \$741,390 during FY 2001.

Councilwoman Cunningham made a motion, seconded by Councilman McKean, to adopt the following resolution:

RESOLVED, that the Mayor be and hereby is authorized to execute an agreement with the Rye Free Reading Room to furnish library services for 2001.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

The Mayor reported that the adoption of the budget and related matters was now concluded. He thanked everyone for a job well done and said that congratulations were in order.

32. Resolution authorizing the City Manager to enter into a Fiber Optic Cable License Agreement between the City of Rye and NorthEast Optic Network, Inc.

The Mayor asked the Council to authorize the City Manager to enter into a Fiber Optic Cable License Agreement with NorthEast Optic Network, Inc.(NEON). He reported that NEON has recently entered into agreements with neighboring municipalities and had in fact already installed much of the fiber optic lines scheduled for the City of Rye, mostly on Locust Avenue. Councilman Stampleman, who said he had not had a chance to read the agreement and would therefore abstain from voting, asked how NEON could install the lines prior to having a signed agreement with the City of Rye. City Manager Novak explained that Neon is a public utility so that once they have a certificate from the Public Service Commission (which they do) there is no way to withhold installation. Counselor Neale informed the Council that the agreement is basically to set the remuneration for the City and that the recent changes in the contract are not substantive. He reported that the City had attempted to obtain a larger amount, but that the agreement as proposed is financially good for the City. Councilman Stampleman asked if NEON could use the lines if the agreement was not approved. Mayor Otis said he believed so, but suggested that this was an area to look into in the future. He recommended approval of the agreement.

Councilman McKean made a motion, seconded by Councilwoman Larr, to adopt the following resolution:

RESOLVED, that the City Manager is authorized to execute a ten year agreement between the City of Rye and NorthEast Optic Networks.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings,
Larr and McKean.

NAYS:None

ABSENT: Councilwoman Downing

ABSTAIN: Councilman Stampleman

The resolution was adopted

33. Approval of the Bylaws of the Long Island Sound Watershed Intermunicipal Council

Mayor Otis reported that Rye is a participant in the Long Island Sound Watershed Intermunicipal Council (LISWIC) which was founded to engage in joint projects including the study of proposed projects and grant applications affecting the area. Others participating in the Council are the Cities of Mt. Vernon and New Rochelle; the Town of Mamaroneck, the Town-Villages of Harrison

and Scarsdale; and the Villages of Larchmont, Mamaroneck, Pelham Manor, Port Chester and Rye Brook. The Mayor said that the proposed by-laws as shown below clarify the mission and goals of LISWIC and he urged that the City Council approve them.

LONG ISLAND SOUND WATERSHED INTERMUNICIPAL COUNCIL BYLAWS

ARTICLE I. NAME

Section 1. This organization shall be known as the Long Island Sound Watershed Intermunicipal Council (hereinafter "LISWIC").

ARTICLE II. MEMBERSHIP

Section 1. The members of LISWIC are:

City of Mount Vernon
City of New Rochelle
City of Rye
Town of Mamaroneck
Town-Village of Harrison
Town-Village of Scarsdale
Village of Larchmont
Village of Mamaroneck
Village of Pelham Manor
Village of Port Chester
Village of Rye Brook

Section 2. Any Village, Town, or City in Westchester County that drains storm water to Long Island Sound, or generates sewage that ultimately reaches Long Island sound, may become a member of LISWIC by resolution or a majority of the governing boards of the existing members, and payment of the annual dues as provided in Article X.

Section 3. Members shall designate two persons to serve on the Board of Representatives of LISWIC, and the persons so designated collectively shall constitute the Board of Representatives of LISWIC. A person so designated may designate an alternate to attend meetings(s), who shall have all the privileges of membership on the Board of Representatives.

ARTICLE III. OBJECTIVES

Section 1. The objectives of the LISWIC are:

- a. the sharing of information regarding development projects with intermunicipal impacts;
- b. the resolution of disputes regarding development projects that impact environmentally sensitive areas;
- c. developing compatible comprehensive plans, zoning and land use regulation;
- d. fostering of the economic needs of each community;
- e. monitoring compliance and enforcement of regulations;
- f. developing programs for educating the public and public officials; and
- g. achieving intermunicipal cooperation in other efficient ways.

Section 2. The members of LISWIC have resolved by valid Intermunicipal Agreement, dated as of April 1, 1999: (on file in office of the City Clerk)

THAT: The municipalities named herein have joined together to form the "Long Island Sound Watershed Intermunicipal Council" to advise and inform members on methods to accomplish the interests and objectives contained above;

THAT: The Council shall be comprised of two representatives selected by each municipality and shall adopt bylaws providing for the further administration, finance and governance of the Council, to be approved by each municipality;

THAT: The council shall recommend specific ways in which the cooperating municipalities can accomplish their objectives and interests.

Section 3. LISWIC is organized and operated exclusively for the above stated purposes. No part of the net earnings of LISWIC shall inure to the benefit of any officer or employee of LISWIC, or to any private individual (except that reasonable compensation may be paid for services rendered to or for LISWIC) and no officer or employee of LISWIC, or any private individual, shall be entitled to share in the distribution of any of LISWIC's assets upon the dissolution of LISWIC.

ARTICLE IV. POWERS

Section 1. LISWIC shall act through the Board of Representatives and the Executive Committee, as described below.

Section 2. In furtherance of the objectives described above, and to facilitate joint projects, the Board of Representatives shall have the ability to make and perform contracts for the purposes enumerated above, to engage in various funding and fund-raising activities, and to acquire, own, operate and maintain such property as to effectuate its purposes. No real property may be acquired without the express approval of the municipality in which such property is located. Any such property may be entrusted by the Board of Representatives to the custody of one or more members.

Section 3. With respect to the application for, and receipt of, grants, the Board of Representatives may designate a member to act for LISWIC.

ARTICLE V. MEETINGS

Section 1. The Annual Meeting of LISWIC shall be held in the month of October of each year. At the Annual Meeting, the Chair shall present the Annual Report of LISWIC.

Section 2. Regular meetings shall be held at such times as fixed by the Board of Representatives.

Section 3. Special meetings may be called any time by the Executive committee or the Chair, or by petition of six members of the Board of Representatives. Members shall be notified in advance of all special meetings.

ARTICLE VI. CONDUCT OF MEETINGS

Section 1. Meetings of the Board of Representatives or of the Executive Committee shall be presided over by the chair, or if unavailable, the Vice Chair. On all questions of parliamentary procedure, the latest edition of "Roberts Rules of Order" shall govern.

Section 2. A majority of the Board of Representatives shall constitute a quorum for the conduct of business. A majority of the Executive Committee shall constitute a quorum for the conduct of business.

Section 3. On any matters requiring a vote, each member of the Board of Representatives shall be entitled to one vote, subject to the provisions of Article X, section 4. In the event that only one member of the Board from a member municipality is in attendance at the time of a vote, then that person shall be permitted to cast two votes. On any matters requiring a vote, each member of the Executive Committee shall be entitled to one vote, subject to the provisions of Article X, Section 4.

Section 4. All matters requiring a vote by the Board of Representatives, or the Executive Committee, as the case may be, shall be decided by a majority vote of those present and voting in any meeting where a quorum has been confirmed.

ARTICLE VII. OFFICERS

Section 1. The officers of LISWIC shall be a Chair, Vice Chair, Treasurer, and Secretary. The Board of Representatives shall elect the officers from among its number at the Annual Meeting, and the term of office shall be one year then beginning.

Section 2. The Chair of LISWIC shall develop an agenda for all meetings, shall preside at all meetings and shall perform such other duties as may be directed by resolution of the Board of Representatives.

Section 3. The Vice Chair, in the absence of or during the incapacity of the Chair, shall perform the duties of the Chair and shall become Chair upon a vacancy in the office of the Chair.

Section 4. The Treasurer shall receive and have the care and custody of all of the funds and securities of LISWIC and shall deposit such funds in the name of LISWIC in a bank or other depository as designated by the Board of Representatives. No funds shall be drawn from the depository except by checks for the same, signed by the Treasurer or in his/her absence the Secretary, and countersigned by either the Chair or the Vice Chair, pursuant to the direction of the Board of Representatives, or the Executive Committee.

The Treasurer shall keep regular books of accounts showing receipts and expenditures and shall submit at each Annual Meeting a report of all receipts and disbursements during the preceding year, together with the status of all funds of LISWIC and shall submit interim reports during any current year when requested by the Executive Committee.

The Treasurer may assign to the Coordinator, if one is appointed under Article VIII, such of the aforementioned duties deemed necessary for efficient operation.

Section 5. The Secretary shall keep all records of LISWIC, keep the minutes of meetings of the Board of Representatives and the Executive Committee, keep a record of all votes and other proceedings of LISWIC in a journal to be kept for such purpose and shall perform all the duties normally incident to this office. The Secretary may assign to the Coordinator, if one is appointed, such of these duties as deemed necessary for efficient operation.

Section 6. Officers may be removed from the office for cause upon a 2/3 vote of the Board of Representatives. Vacancies arising for any cause, including vacancies due to the creation of a new office in LISWIC, shall be filled at the second regular meeting after such vacancy occurs or is created.

Section 7. All officers of LISWIC shall perform such other duties and functions as may from time-to-time be authorized by resolution of the Board of Representatives, or by these Bylaws.

ARTICLE VIII. COORDINATOR; STAFF

Section 1. The Board of Representatives may appoint a Coordinator or other paid staff under such terms and conditions as it may approve.

Section 2. The Coordinator and/or Staff shall take instructions from the Board of Representatives or the Executive Committee. The Coordinator shall prepare such reports as are pertinent to the effective operation of LISWIC or which the Board of Representatives may request.

ARTICLE IX. COMMITTEES

Section 1. The Committees of LISWIC shall consist of an Executive Committee, and such other committees as may be established by the Board of Representatives. The Board of Representatives shall elect the members of the Executive Committee, and the members of all other committees. The Executive Committee shall consist of the officers of LISWIC and no more than two additional members, who shall also be elected from among the Board of Representatives. The term of the members of all the committees shall be for one year.

Section 2. The Executive Committee shall conduct the affairs of LISWIC in the interim between meetings of the Board of Representatives in accordance with the directions of the Board of Representatives, and shall perform such other duties as are referred to it by the board of Representatives or by these Bylaws. Such powers shall include but not be limited to the expenditure of sums of money up to \$500.00 for any LISWIC purpose or function without the approval of any other committee, officer, or the Board of Representatives.

Any member of the Executive Committee may be removed for cause upon a 2/3 vote of the board of Representatives. Any member of the Executive Committee may resign at any time by giving written notice of such resignation to the Board of Representatives. Vacancies shall be filled by the Board of Representatives. Any member of the Executive Committee elected to fill a vacancy caused by resignation, death, or removal shall hold office for the unexpired term of his/her predecessor.

Section 3. In addition to the foregoing, any committee appointed by the Board of Representatives shall possess such powers and perform such duties as the Board of Representatives may designate from time-to-time.

ARTICLE X. DUES AND FINANCES

Section 1. The Annual dues for each members shall not exceed \$1,000.00.

Section 2. Dues are payable in May of each year.

Section 3. The fiscal year for LISWIC shall be June 1 to May 31.

Section 4. Any increase in the annual dues established in Article X, Section 1, above, shall require an amendment to the Bylaws, in accordance with the procedure set forth below. Any municipality which does not pay dues shall have its vote suspended 90 days after payment due date.

ARTICLE XI. ENACTMENT; AMENDMENTS

Section 1. These original Bylaws have been provisionally approved at the meeting of LISWIC on November 3, 2000, and shall be deemed approved by the members unless the governing bodies of the four members object in writing on or before January 1, 2001.

Section 2. Amendments to these Bylaws, whether addition, change, or deletion, shall be made in the following manner:

- a) A proposition to add, change, or delete may be submitted in writing by no less than six members. Copies of proposed changes shall be sent to the Clerk of each member, with a notice of date and place of the meeting at which such action is to be taken. Such copies shall be mailed at least seven days prior to the meeting.
- b) An affirmative vote of two-thirds of the members of the Board of Representatives present and voting, at a meeting where a quorum has been confirmed, shall be necessary for the adoption of any additions, changes, or deletions to the Bylaws.

ARTICLE XII. DISSOLUTION; WITHDRAWAL

Section 1. LISWIC shall be dissolved and its affairs wound up upon a resolution of dissolution by the members following the same procedure as required for amendment of these Bylaws.

Section 2. In the event of dissolution, all of the remaining assets and property of LISWIC shall, after necessary expenses thereof, be distributed to another organization exempt under Internal Revenue Code, Section 501(c)(3) or corresponding provisions of the Federal tax laws, or to members to be used for a public purpose, as determined by the Board of Representatives.

Section 3. Any member may withdraw by giving notice 60 days prior to the end of any fiscal year of the intent to withdraw. Withdrawal shall be effective on May 31 of that year.

Councilman Stampleman made a motion, seconded by Councilwoman Larr and unanimously carried to adopt the proposed bylaws of the Long Island Sound Watershed Intermunicipal Council.

34. Acceptance of Johnson Place, Keane Court and Devereux Court and their related sanitary sewers, storm drains and easements as public streets, sanitary sewers and storm drains

Mayor Otis reported that since October, 1996, the Beaver Brook Development Corporation has built subdivision #258, also known as The Preserve. The City Engineer and the Planning Commission have inspected the streets, storm drains, and sanitary sewer mains and recommend that they be accepted for dedication.

Councilman Stampleman made a motion, seconded by Councilwoman Larr and unanimously carried, to accept Johnson Place, Keane Court and Devereux Court and their related sanitary sewers, storm drains and easements as public streets, sanitary sewers and storm drains.

35. Approval of a supplemental appropriation of \$6,000 from the Contingent Account to the Capital Projects Fund budget for the purpose of increasing the contract with Tessier Environmental Consulting providing for the researching and authoring by the Consultant of a potential grant application under the State of New York 1996 Clean Water Clean Air Bond Act and Environmental Protection Fund

Mayor Otis asked the City Manager to explain the need for additional funds for Tessier Environmental Consulting. Manager Novak reported that Laura Tessier has completed very technical grant-writing projects over the summer for Project Impact. The expenses are not fundable out of Project Impact funds, so she asked the Council to approve an additional \$6,000 to compensate Ms. Tessier for these services. The Mayor added that in the absence of staff over the summer the City had been well served by the professional, high caliber work provided by Ms. Tessier and he urged the Council to approve the additional funds being requested post facto.

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham to approve the following resolution:

RESOLVED, that a supplemental appropriation of \$6,000 from the Contingency Account to the Capital Projects Fund budget for the purpose of increasing the contract with Tessier Environmental consulting providing for the researching and authoring by the Consultant of a potential grant application under the State of New York 1996 Clean Water Clean Air Bond Act and Environmental Protection Fund be approved.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

36. Proposed resolution amending the 2000 Budget to increase estimated revenues and to increase appropriations for the Rye Youth Council in the amount of \$4,253.00

Mayor Otis explained that each year the city allows the Rye Youth Council (RYC) to apply for state aide using the city as its fiscal agent, whereupon the city amends the annual budget. The RYC has applied for fiscal 2000 state aid in the amount of \$4,253.

Councilman Stampleman made a motion, seconded by Councilwoman Larr to adopt the following resolution:

WHEREAS, the City of Rye acts as the fiscal agent for the Rye Youth Council for purposes of attaining state aid; and

WHEREAS, the Rye Youth Council has applied for state aid in the amount of \$4,253 for fiscal year ending December 31, 2000; and

WHEREAS, it is the tradition of the City of Rye to amend the annual budget to reflect the estimated state aid when a copy of the state aid application has been made; now therefore be it

RESOLVED, that the City Comptroller is authorized to amend the annual budget for fiscal year ending December 31, 2000 as follows:

Increase Estimated Revenues State Aid	\$4,253
Increase Appropriations-Rye Youth Council	\$4,253

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

37. Authorization for the City Manager to enter into a 2001 Stop-DWI Patrol/Datamaster Project Agreement with the County of Westchester for the 2001 calendar year

Mayor Otis asked the Council to authorize the City Manager to renew an annual contract which is required for Rye's police department to participate in the 2001 STOP-DWI Patrol/Datamaster Project and be eligible for reimbursement.

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried to authorize the City Manager to enter into a 2001 Stop-DWI Patrol/Datamaster Project Agreement with the County of Westchester for the 2001 calendar year.

38. Bids for New Lockers for Rye Golf Locker Building

Mayor Otis asked the City Manager to present the bid for lockers in the new Rye Golf Club Building.

NEW LOCKERS - RYE GOLF LOCKER BUILDING
BID #9-00

NAME OF BIDDER	All State Pallet & Equipment Corp.	Hollman
SECURITY	Bid Bond	Bid Bond
Item	Amount Bid	Amount Bid
Choice One - Laminated Plastic on Wood Backing	\$ 21,500	\$ 18,772
Choice OneA - Laminated Plastic on Wood Backing w/Mirror	\$ 23,940	\$ 20,612

Choice Two - Solid Wood Veneer Finish	\$ 25,800	\$ 22,129
Choice TwoA - Solid Wood Veneer Finish w/Mirror	\$ 28,300	\$ 24,001

Councilman Stampleman asked about the status of the building project as a whole. Manager Novak said that the building is about 40% completed; that the total cost allocated was \$600,000 from Capital Funds but that the cost of the lockers are in the operating budget. The lockers will be constructed of laminated plastic on wood backing with a mirror, top shelf, coat rod, two coat hooks, one door tray and number discs. The delivery of the lockers will take approximately 56 days after approval.

Councilman Stampleman made a motion, seconded by Councilwoman Larr to adopt the following resolution:

RESOLVED, that Bid #9-00, New Lockers, Rye Golf Locker Building be and is hereby awarded to Hollman, Inc., the lowest bidder meeting specifications, in the amount of \$20,612.

ROLL CALL

AYES: Mayor Otis, Councilmen Cunningham, Hutchings, Larr,
McKean and Stampleman

NAYS:None

ABSENT: Councilwoman Downing

The resolution was adopted.

39. Draft unapproved minutes of the regular meeting of the City Council held November 29, 2000

Councilman Stampleman made a motion, seconded by Councilwoman Larr, and unanimously carried to approve the minutes of the regular meeting of the City Council held November 29, 2000 as amended.

40. Miscellaneous communications and reports

Councilman Hutchings reported on the National League of Cities Congress of Cities Meeting in Boston which he, and over 7000 others, attended with City Manager Novak. He said that Manager Novak conducted a most successful well attended workshop; that the keynote speakers (Alan Simpson

and Robert Reich) were very interesting; and that the e-city display about the future of technology in cities was fascinating and showed how much new technology can cut costs and increase efficiency. He recommended more Council members attend next year, if only for the networking opportunities and to learn more about the similar problems and challenges faced in other cities. Councilman McKean mentioned the trend toward trails versus sidewalks and Councilwoman Cunningham expressed interest that the NOISE group which deals with airport problems, had made a presentation.

Councilman Stampleman mentioned that progress on the trailways plan for Rye did not seem to be progressing. He said that he realized that the city might be waiting for grants, but felt that it was not too early to begin mapping out the trails, perhaps making use of volunteers. He asked the City Manager to look into this matter.

Councilman Stampleman said that he had recently attended a meeting at the McDonald building which is available for meetings in the evenings. He said he hoped the public would be made aware that space could be scheduled by calling Bill Rodriguez at the Recreation Department.

Councilman Stampleman reported that he had attended a meeting where Rex Gedney from Crozier Gedney had presented very interesting plans for possible new designs and venues for an expanded the Damiano Center. He recommended that the Council look at these ideas and that senior citizens be informed about these alternatives so they can give their input. Councilwoman Cunningham said she assumed the senior citizens would have input at their regular meetings. He also wondered if there might be any grants available to improve the Damiano Center.

Councilman Stampleman asked who will be scheduling use of the recently purchased van. Manager Novak said that the van is used for programatic needs planned by Rye Recreation for the senior citizens including shopping trips. Councilwoman Cunningham said that while the van was not intended as a taxi service it might be a good idea to use it to transport senior citizens to their meetings at Rye Recreation from Rye Manor.

Councilwoman Cunningham handed out a draft for a plaque which the Council had agreed to place in Whitby Castle as a thank you for those who had participated in raising funds to help with the restoration of the chapel. She said she and Lorraine Mignone had worked on this and asked for input from the Council.

Councilwoman Cunningham inquired about installing speed bumps now near Rye Manor as they are not the first in town and Rye Manor residents are anxious to have them. Manager Novak suggested that it would be prudent to develop a policy that would establish guidelines for speed bumps. Councilman McKean asked if others had policies in place. Manager Novak said that the Traffic and Transportation Committee already has this information and is working on a draft. She also mentioned that this is not the optimum time to install speed bumps. She recommended that the matter be studied at a workshop with the Traffic and Transportation Committee and that a possible goal would be spring installation. She also reported that the road is scheduled for re-paving in 2002.

41. Old Business

Councilman Stampleman asked about the status of the form which had been developed to communicate between land use committees. Manager Novak said that it was being used, but that some users find parts confusing so there is a need to review it

Councilman McKean asked about the status of the American Yacht Club/Town Dock land swap. Mayor Otis reported that he had had a conversation with Town Supervisor Morabito and that the Town of Rye is still filling out the questionnaire on park land alienation. He said that now is a good time to absorb all the issues which continue to be raised and that once there is a response from all those involved, the Council can review the issues and map out a path for future action.

Councilman Stampleman inquired when Whitby Castle would open. Manager Novak said that she was meeting with Restaurant Associates the next day but as of now no date had been set for the official opening.

Councilman Hutchings handed out the schedule for "Eye on Rye" and reported that there were lots of blanks which need to be filled in so that the programs can be properly advertised. Councilman Stampleman said he would be talking about Rye Free Reading Room developments in January.

42. New Business

There was no new business discussed.

Councilwoman Cunningham made a motion, seconded by Councilman McKean and unanimously carried, to adjourn to executive session at 9:30 P.M. to discuss a contractual matter.

The council reconvened at 10:13 P.M.

43. Adjournment

There being no further business to discuss, Councilman Stampleman made a motion, seconded by Councilman McKean and unanimously carried, to adjourn the meeting at 10:14 P.M.

Respectfully submitted,

Susan A. Morison

City Clerk